

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No. 4355/2020

(Arising out of impugned final judgment and order dated 04-11-2019 in WP No. 27258/2019 passed by the High Court of Judicature at Madras)

NAND KISHORE SONTHALIA

Petitioner(s)

VERSUS

M/S DEUTSCHE BANK AG & ORS.

Respondent(s)

(ONLY I.A.NOS.153260/2023 AND 153272/2023 ARE TO BE LISTED.

IA No. 153260/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 153272/2023 - PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS)

Date : 21-08-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. Ravi Raghunath , AOR

For Respondent(s) Mr. Gaurav Khanna, Adv.
Mr. Chanchal Kumar Ganguli, AOR

UPON hearing the counsel the Court made the following
O R D E R

It is not denied that by virtue of subsequent events, the dispute which was the subject matter of the original application (O.A. No. 310 of 2014) pending before the Debt Recovery Tribunal (I), Chennai has been settled by order dated 03.06.2022. The petitioner's grievance is that he was not a guarantor of the principal debtor company. Since the dispute between the main parties i.e. borrower and the bank have been resolved, the petitioner's grievance has been addressed. In the circumstances, the impugned order is hereby set aside.

The petitioner's pre-deposit amount of Rs. 10 Lakh with accrued interest, if any, furnished by the petitioner as a pre-condition for the filing of this appeal shall be refunded to him within four weeks by Debt Recovery Appellate Tribunal at Chennai.

The petition is disposed of in the above terms.

All pending applications are disposed of.

(NEETA SAPRA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)